

April 17, 2006  
Regular Session

Minutes

Members present

Brady Wooten- Chairman  
Allen Sneed- Vice- Chairman  
Leon Casstevens- Commissioner  
Kim Clark Phillips- Commissioner  
D.C. Swaim- Commissioner

Others Present

Cecil E. Wood- County Manager  
Melinda Vestal-Clerk to the Board  
James Graham-County Attorney

Chairman Wooten called the meeting to order. Attorney Graham led the invocation. The Board had the pledge.

**Public Hearing-ROAP**

Charlie Walker, Director of Transportation, presented the application for the 2006/2007 ROAP (Rural Operating Assistance Program). The application will be for \$89,141; no county dollars.

Commissioner Swaim asked what the increase in fuel prices would do to the program?

Mr. Walker stated if the cost of gas goes over \$3 a gallon, some services could be cut.

Chairman Wooten closed the public hearing.

**\*Commissioner Phillips made the motion to approve the application for the 2006/2007 ROAP. Commissioner Swaim seconded. The Board voted 5-0.**

**Public Hearing-zoning**

Ray Manieri, Interim Zoning Administrator, presented the following:

- W.C. Lawrence, Courtney- Huntsville Road, change from rural agriculture to restricted residential. Approved by the Planning Board.

There was discussion if all property owners were notified of the zoning request.

Mr. Manieri stated he was unsure because this was done before he was hired, but he would check. He stated the sign was put up ten days before the public hearing.

Joan Holcomb, property owner behind the proposed property, stated her property is separated by ten acres, with a deep gulch. This property is located in a flood plain and excessive housing could cause mud in the pond. She commented she was not notified of the proposed zoning change. She stated she would not have a problem with the housing if it is developed responsibly. She wants the integrity of the area to remain as it is. She asked if the property was not rezoned, how many mobile homes could be placed on the property?

Chairman Wooten responded 10-15 units; under residential restricted there would be no mobile homes allowed.

Mr. Wood stated covenants for the proposed subdivision would come from the property owner.

Commissioner Phillips suggested sending the request back to the Planning Board to be sure all the property owners were notified.

Mr. Wood questioned if proper notification was sent to the property owners. He suggested delaying a decision allowing the developer to meet with the property owners to discuss the proposed subdivision.

Felix Hobson, adjoining property owner, stated he was not notified of the Planning Board hearing, but he did receive notification regarding the April 17<sup>th</sup> public hearing.

Kent Brandon, adjoining property owner, stated he too received no notification about the Planning Board hearing. He asked how would this rezoning affect his property?

- Bobby and Patricia Davis, A & J Drive off Baltimore Road, change from manufactured home park to rural agriculture. Approved by the Planning Board.
- Michael Underwood, Shady Grove Church, change from rural agriculture to residential restricted. Approved by the Planning Board.
- Subdivision definition amended to comply with State Planning Laws. Removing or amending the following:
  - 41.20- Subdivision means all divisions of a tract or *parcel* of land into two or more lots, building sites, or other divisions, *when any one or more of those divisions is created for the purpose of sale or building development*, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; provided however that the following shall not be included within this definition nor be subject to the regulations prescribed by this *Part*.
  - 41.20.1- deleted
  - 41.20.1- The combination or recombination of portions of previously subdivided *and recorded* lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the County as shown in its *subdivision regulations*.
  - 41.20.2- The division of land into parcels greater than 5 acres where no street r-o-w dedication is involved.
  - 41.20.3- The public acquisition by purchase of strips of land for the widening or opening of streets *or for public transportation system corridors*.
  - 41.20.4- The division of a tract in single ownership whose entire area is no greater than 2 acres, *into not more than three lots*, where no

street r-o-w dedication is involved, and *where* the resultant lots are equal to or exceed the standards of the county as shown in *its subdivision regulations*.

- 41.20.6- deleted

Mr. Maneriri stated these changes have to be made to be in compliance with State regulations.

Chairman Wooten closed the public hearing.

**\*Commissioner Swaim made the motion to adopt the subdivision changes as submitted. Commissioner Phillips seconded. The Board voted 5-0.**

**\*Commissioner Phillips made the motion to approve the rezoning request for Bobby and Patricia Davis, changing from manufactured home park to rural agriculture. Commissioner Casstevens seconded. The Board voted 5-0.**

**\*Commissioner Sneed made the motion to approve the rezoning request for Michael Underwood, changing from rural agriculture to residential restricted. Commissioner Casstevens seconded. The Board voted 5-0.**

**\*Commissioner Casstevens made the motion to table the request for W.C. Lawrence. Commissioner Sneed seconded.**

Mr. Maneri stated he would review the proper procedures for notify property owners, and he would talk with the developer and suggest to him that a community meeting might be in his best interest. He would bring this information back to the Board.

Mr. Wood stated there may need to be some administrative changes; notifications may need to be sent to the property owner prior to the Planning Board hearing, check on the legal issues. Mr. Wood stated he would check with the staff to see when notifications were mailed and to which property owners.

**The Board voted 5-0.**

**Public comments**

There were none.

**Minutes**

**\*Commissioner Swaim made the motion to approve the minutes with change. Commissioner Phillips seconded. The Board voted 5-0.**

**Services & Development-budget amendment**

Description	Account Number	Original Budget	Increase/(Decrease)	Amended
Professional Services	1054910-51500	\$0	\$14,000	\$14,000
Salaries & Wages	1054910-51010	\$134,304.64	(\$14,000)	\$120,304.64

To amend for professional services performed by All American Associates for the Services & Development Dept. for March 2006 thru June 2006.

**\*Commissioner Phillips made the motion to approve the budget amendment. Commissioner Sneed seconded. The Board voted 5-0.**

**Tax Administration -refunds**

Name/reason	Year	Total
Melinda Foster 1628 Falcon Rd East Bend, N.C. 27018 Land records corr acreage	2005	\$25.95
Jessie Mackie 2740 Wyo Rd Yadkinville NC 27055 Appraiser corr land classification more wooded land than cleared land	2005	\$271.57

Michael McCollum %Johnny P Ashley 7315 Mayberry Mill Rd Hamptonville NC 27020 Appraiser corr classification of house to dwmh	2005	\$326.09
Odessa Sizemore P.O. Box 871 Yadkinville, N.C. 27055 Appraiser corr size of mh	2005	\$58.66

**\*Commissioner Casstevens made the motion approve the tax refunds. Commissioner Swaim seconded. The Board voted 5-0.**

#### **5-D- lease of land**

Mr. Wood informed the Board some farmers have expressed interest in leasing some of the land in the 5-D area for farming.

**\*Commissioner Swaim made the motion to advertise and proceed with leasing the land for farming. Commissioner Phillips seconded. The Board voted 5-0.**

#### **Administration-employee rewards**

Chairman Wooten discussed the proposed employee rewards program.

Mr. Wood stated the program would encourage employees to offer suggestions for the betterment of the county. He reviewed the monetary amounts; 10% of the actual first year savings, minimum \$50 and max \$10,000. Other incentives might include dinner certificates, shopping cards, and tickets to sporting events.

Commissioner Swaim agreed this would encourage the employees to save, but who decides on the idea; needs to be an ironclad program.

Mr. Wood stated the program would clarify what ideas/suggestions would be accepted.

The Board discussed the max amount and decided to bring back to the Board if an award was to be more, for their approval. The Board directed Mr. Wood to review the program and present a draft in the next few weeks.

**Adult Nursing Home Committee- resignation**

The Board received a letter of resignation from Edna Martin indicating that she would no longer be able to serve.

The Board requested a letter be mailed to Ms. Martin thanking her for her service and ask if she has any recommendations.

**DOT-road petition- Dezern Road**

The Board directed Mr. Wood to get more information on the petition.

**Commissioner comments**

Commissioner Phillips stated the wine referendum vote is for everyone. She encouraged everyone to vote and help our tax base and local agriculture.

Commissioner Phillips discussed Mental Health and the effects it is having on the county and our citizens. She stated she had requested to serve on the North Carolina Public Health Task Force. North Carolina is the only State required to cover Medicaid costs.

Mr. Wood informed the Board about the Legislative Day Meeting on May 17<sup>th</sup> which would be a good time to meet with our representatives. Mr. Wood suggested a breakfast meeting with our State Representatives.

Commissioner Phillips reported on the Hispanic Task Force.

Commissioner Casstevens discussed the Group Home. He suggested turning the home into a women's shelter for battered women.

Chairman Wood suggested the Board consider what would be the best option for the group home.

Commissioner Casstevens inquired about the new laws regarding the division of property.

Mr. Wood stated these are changes being made by the State.

Commissioner Sneed informed the Board that there are three POWs who live in Yadkin County. He would like the County to recognize them.

Mr. Wood stated he would check on the actual number and get their names.

Chairman Wooten asked for an update on the Hwy 601, I-77/Hwy 421 projects, including the sewer for I-77/421.

Mr. Wood stated they are waiting on State approval to run the lines down Courtney-Huntsville Road and EDA's approval to use the funds. He reviewed the community meeting schedules for the Hwy 21/421 water project. He discussed some details the Board needed to be considering; rates, assessments, mandatory hook-ups and county or town ownership of the lines. He informed the Board title searches would need to be done on all 200 properties. He commented that after some refiguring by the engineer, the cost of the project has been reduced. Mr. Wood informed the Board that he has talked with businesses in the area and they are in agreement with assisting the county with the project.

Chairman Wooten inquired about r-o-w towards Lydall.

Mr. Wood stated they are already established.

The Board discussed the various ways to run the waterlines.

Mr. Wood informed the Board about the courthouse. We are currently waiting on the revised plans for the courthouse. The Judge liked the new proposal. We will review the original and revised plans and decide which way to go according to costs.

### **Manager comments**

Mr. Wood informed the Board about an audit from the IRS. They reviewed the payroll taxes and have determined Attorney Graham should be considered as a county employee and they want us to pay payroll taxes for



Attorney Graham based on the taxes he collected. Mr. Wood recommended the Board appeal the decision because Attorney Graham is an independent contractor.

The Board agreed to appeal the finding.

Mr. Wood informed the Board that the Board of Education has agreed to meet May 8<sup>th</sup> at 7:00 p.m. at West Yadkin School.

Mr. Wood reminded the Board about the Legislative Meeting on May 17<sup>th</sup>.

Mr. Wood discussed the Enterprise Fund and Solid Waste. The Enterprise is running a deficit which we will have to adjust. The adjustment can be a budget transfer from the general fund to the Enterprise Fund or there is \$471,000 in the Capital Reserve fund. This money is set aside to cap the old land field. Part of this money could be used to fund the deficit. Mr. Wood stated he is also looking at other options for trash disposal.

Chairman Wooten stated to proceed with the other options and report back to the Board.

Commissioner Casstevens stated Dr. Todd would be retiring in 2007 and Cynthia Holiday with Piedmont Triad Partnership would be taking a new job.

Commissioner Swaim inquired about the letter received from Joe Boyette.

Mr. Wood stated the employee is currently working two jobs and wants to work only one. The employee currently works part-time for the county and Mr. Boyette is requesting to hire him full-time. The employee is very talented and has saved the county lots of money during his time of employment.

Commissioner Casstevens questioned if we needed three full-time persons at the park.

Mr. Wood stated the use of the park has increased and the state rules are more complex, requiring more personnel.

Commissioner Casstevens stated we should keep Mr. Mounce in our organization.

Mr. Wood suggested keeping Mr. Mounce part-time until July 1. Mr. Boyette can put a full-time position in his budget.

The Board discussed the various departmental fees and how they all go back to the general fund.

### **Closed Session**

**\*Commissioner Phillips made the motion to go in closed session per G.S. 143-318.11(a)(3). Commissioner Sneed seconded. The Board voted 5-0.**

**\*Commissioner Swaim made the motion to come out of closed session. Commissioner Phillips seconded. The Board voted 5-0.**

### **Adjournment**

**\*Commissioner Phillips made the motion to adjourn. Commissioner Swaim seconded. The Board voted 5-0.**

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Melinda Vestal, Clerk to the Board